

05/18/21

Federal Law Prohibits Mandates of Emergency Use COVID Vaccines, Tests, Masks — 3 Resources You Can Use to Inform Your School or Employer

Under federal law, employers and universities cannot legally mandate COVID vaccines because they are unlicensed Emergency Use Authorization products which are, by definition, experimental.

By [Aimee Villella McBride](#)
[Stephanie Locricchio](#)

The Defender is experiencing censorship on many social channels. Be sure to stay in touch with the news that matters by [subscribing to our top news of the day](#). It's free.

With more than [100 U.S. colleges](#) mandating [COVID vaccines](#) for in-person attendance and schools enforcing mask mandates, it's critical people understand their rights.

The bottom line is this: mandating products authorized for [Emergency Use Authorization status](#) (EUA) violates federal law as detailed in the following [legal notifications](#).

All COVID vaccines, [COVID PCR and antigen tests](#), and masks are merely EUA-authorized, not approved or licensed, by the federal government. Long-term safety and [efficacy](#) have not been proven.

EUA products are by definition [experimental](#), which requires people be given the right to refuse them. Under the [Nuremberg Code](#), the foundation of ethical medicine, no one may be coerced to participate in a medical experiment. [Consent of the individual](#) is "absolutely essential."

Earlier this year, Mary Holland, [Children's Health Defense](#) president and general counsel, and attorney Greg Glaser [stated](#) that federal law prohibits employers from mandating EUA COVID vaccines (or EUA COVID-19 tests or masks).

Holland and Glaser wrote:

"If a vaccine has been issued EUA by the FDA, it is not fully licensed and must be voluntary. A private party, such as an employer, school or hospital cannot circumvent the EUA law, which prohibits mandates. Indeed, the EUA law preventing mandates is so explicit that there is only one precedent case regarding an attempt to mandate an EUA vaccine."

What to do if your school or employer says you must get the COVID vaccine

The Children's Health Defense legal team has written three legal notifications that anyone faced with a [COVID vaccine](#), [COVID test](#) or [mask mandate](#) can use to inform employers and universities that they are violating federal law. You can download the three notifications [here](#).

All of the notifications include this language:

"Federal law, [Title 21 U.S.C. § 360bbb-3\(e\)\(1\)\(A\)\(ii\)\(I-III\)](#) of the Federal Food, Drug, and Cosmetic Act, states the following about products granted emergency authorization usage:

Individuals to whom the product is administered are informed—

(I) that the Secretary has authorized the emergency use of the product;

(II) of the significant known and potential benefits and risks of such use, and of the extent to which such benefits and risks are unknown; and

(III) of the option to accept or refuse administration of the product, of the consequences, if any, of refusing administration of the product, and of the alternatives to the product that are available and of their benefits and risks.

Any entity or organization that requires EUA COVID-19 vaccinations, COVID-19 tests or masks are in violation of federal law, and will likely face lawsuits if they don't allow exemptions or alternatives."

Submitting the notices prepared by Children's Health Defense is the first step prior to seeking an exemption or taking legal action.

Vaccine exemption laws vary by state. Go to the [National Vaccine Information Center](#) to learn more about your state exemptions.

It's critical to stand against mandates and preserve legally protected, fundamental human rights on issues related to health freedom. Don't fall prey to coercion and pressure, use the resources available to protect your legal rights.

SUGGEST A CORRECTION

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PCR Testing

[Sign up](#) for free news and updates from Robert F. Kennedy, Jr. and the Children's Health Defense. CHD is implementing many strategies, including legal, in an effort to defend the health of our children and obtain justice for those already injured. Your [support](#) is essential to CHD's successful mission.

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Children's Health Defense

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[jcrow](#) • 5 months ago

Thank you as always. You have taught me how wrong I was about vaccines and autism...my children received very few vaxs (pre-1990)....., never flu shots, etc.

I would would like to volunteer/join local chapter to help in ANY capacity. San Diego. Please help me find local group. Loved Bobby and Judy's appearance in Ventura County.....I looked you up when I read Bobby was "canceled"...that's what made me think Mr Kennedy was a truth-teller, not a misguided "anti-vaxxer". (btw, what are all these tech giants going to do when the Fauci onion is peeled all the way back? Could they see the onion is swelling again? I have no doubt that this

peeled all the way back? Surely they see the onion is peeling open? ..I'm so grateful that this horrible covid lie has a silver lining: finding courageous people like you at the Defender/CHD.

60 ^ | v • Reply • Share ›



jack duras → jcrow • 5 months ago

thehealthyamerican.org, we fight the dirty diapers on faces,, Dr. Reiner Fielich, (won against German huge bank, Bank, Wolswagen) files with 1000 attorneys, law suit, against WHO, CDC, the Davos Group, German Government, for crimes against humanity, genocide

43 ^ | v • Reply • Share ›



GetCheckedNow → jack duras • 5 months ago

Attorney Dr Reiner Fuellmich

Great summary! Davos clique, global organizations, ongoing lawsuits, Covid as a distraction for the bankrupt pension funds/govts etc

<https://www.bitchute.com/vi...>

20 ^ | v • Reply • Share ›



Bayareamom → GetCheckedNow • 4 months ago

Just watched this. In a word - fantastic! Thanks for sharing.

4 ^ | v • Reply • Share ›



Chelsea Yorkshire → GetCheckedNow • 22 days ago

In case you didn't know, Congress & the Govt. have been tapping into Social Security Funds for nearly 30 years. "Pension Funds?" Black Rock owns about 95% of ALL Pension Funds.

^ | v • Reply • Share ›



louise Bakley → jack duras • 5 months ago

When will this level of lawsuit find its way to the United States. It breaks my heart to see all the children suffer.

20 ^ | v 1 • Reply • Share ›



DJ → louise Bakley • 5 months ago

There are lawsuits going on in the US. Go to makeamericansfreeagain.com and click on Our Litigation at the top and scroll down. The first lawsuit was filed in Ohio. There are other states involved. Some states are doing what Ohio did by challenging the emergency (there is no emergency). Other states are doing things a little different. You can contact Pam Popper to find out what you can do. She or one of her associates will reply.

Also, you can buy stuff. I bought a medium size tote bag and it is holding up fairly well. I take it with me any time I go shopping.

11 ^ | v • Reply • Share ›



John Hanek → DJ • 4 months ago

The "vaccines" were authorized for use under EUA because they have not undergone human trials to be proven safe and it was thought there was a real need to get them out quickly. Not sure how shopping with your own tote bag relates to any of this...

2 ^ | v • Reply • Share ›



DJ → John Hanek • 4 months ago

John, can you explain why you are replying to my comment and bringing up the so called vaccines and the EUA? My comment was in reply to Louise Bakley's comment about the lawsuits.

The tote bags that I have came from Make Americans Free Again and The Healthy American. Taking them when I go shopping will sometimes generate questions that can lead to more discussion on how to resist the tyranny.

From makeamericansfreeagain.com, I purchased a tote bag with the words "Make Americans Free Again: The New Normal: Citizens in Charge. This is how it's supposed to be even before covid. Ordering merchandise from this site helps with funding the lawsuits that are going on in several states across the country.

Too many people have forgotten that the government does not give us our rights; therefore, they have no authority to take them away. But, they have found a way that will get people to freely give them up. They create a scary situation and many people become afraid. The corporate media perpetuates the propaganda that comes from the government. Too many people are afraid and are willing to listen to corporate media and will blindly do what they are told. This is not how it should be.

There should be no vaccine for a disease that has never been proven to exist. But, the globalists have an agenda. You either go along with it; or, you fight against it.

5 ^ | v • Reply • Share ›



Liz Scott → DJ • 4 months ago

absolutely. what I do not get is why the heck has people that are this educated like Mr Kennedv. the manv doctors viroloist etc etc and attorneys

stand back and not file suits as for example Ohio has done just recently... this is where I am alarmed confused apprehensive on who is truly caring for mankind.. or is it a way to self gratification... I will reach out to these people you mention because all this evilness must stop. The CDC wonder report in past week changed the data events removing them duplicating ids etc it is rather decipible to say the least

1 ^ | v • Reply • Share ›



Carol Efaw → Liz Scott • 2 months ago

Because it's difficult to find attorneys that will file the lawsuits and more difficult yet to pay them at \$500/hour.

3 ^ | v • Reply • Share ›



zorba1 → Carol Efaw • a month ago

Get together a group of people to file class action lawsuits, retain a law firm . Everyone in the group must chip in to pay for the lawsuit. You will have much more power that way. Challenge every type of mandate, sue businesses who require ID, which is illegal.

1 ^ | v • Reply • Share ›



Chelsea Yorkshire → zorba1 • 22 days ago

Not going to work. What is left of "the middle class" is being further eroded day-by-day. Presently, there is an immense amount of poverty in the US. This is what "neo-liberalism" has done to the US. Greater riches for the truly ultra wealthy; nothing for us.

^ | v • Reply • Share ›



Liz Scott → Carol Efaw • 11 days ago

they take an oath to uphold the Constitution therefore they should have fire under their asses to live up to their promise. Upholding our Constitution is something they all must swear to and each and every single one of these servants are required to do this therefore it should be no money needed.

^ | v • Reply • Share ›



Juli Barnson → DJ • 4 days ago

Choosing to fight against it...

^ | v • Reply • Share ›



NEWS2VIEW → DJ • 2 months ago • edited

Lawsuits should not be necessary to the fact that these are now enforced

— Lawsuits should pivot because using the fact that these are non-approved by the FDA is only pushing FDA to approve these vaccines faster.

I think it would be better to collect actual hospital data to confirm if the unvaccinated are really the majority of those hospitalized (they aren't in Israel and Iceland so the writing is already on the wall!). Then argue that vaccination with the current vaccines in view of Delta variant would, at any other time in FDA history, qualify as "vaccine failure" (i.e. took far less to withdraw the 1976 swine flu vaccine). Furthermore, the very fact that these vaccines require boosters to address this variant proves that current vaccines are not "effective" — and as such no one can give genuinely informed consent because no one who is properly informed would consent to the documented risks of vaccination without a reasonable assurance that they will not suffer breakthrough infection and/or death.

If the lawsuits take a "lazy approach" and simply argue these are experimental, the FDA will say they aren't and it's game over just when the mandates have the most weight behind them (FDA approval). Better to pursue a legal strategy that will survive impending FDA approval, otherwise by the time these lawsuits are heard and/or legal strategies shift, it will be too late.

^ | v 1 • Reply • Share ›



zorba1 → NEWS2VIEW • a month ago

The fda can say whatever they want, they are illegally mandating. File lawsuits as often as you can, individual and especially class action lawsuits. Keep it up, Everyone in America needs to file or join a class action. Its late already, this is not the time to hold back. Your lawyers will know what and how to do it.

^ | v • Reply • Share ›



Connie Mossner → louise Bakley • a month ago

I heard Reiner also has. Ranch in California

^ | v • Reply • Share ›



SAK68 → louise Bakley • 5 months ago

What children?

^ | v • Reply • Share ›



sfrobink → SAK68 • 5 months ago

The ones who are going to get the jabs!

6 ^ | v • Reply • Share ›



SAK68 → sfrobink • 4 months ago

You mean young adults in college? You consider them "children"? You might be right... and at fault for the decline of responsibility in our culture. Participation trophy much?

5 ^ | v 7 • Reply • Share ›



ALS → SAK68 • 4 months ago

12-15 year olds. Those children.

9 ^ | v • Reply • Share ›



Donna → SAK68 • 4 months ago

Yes, they are mentally still children, but the vaccine is being given to kids as young as 12.

3 ^ | v • Reply • Share ›



zorba1 → Donna • a month ago

I heard they want to vax 5 to 11 yr olds. Insane.

^ | v • Reply • Share ›



Jjule → jack duras • 4 months ago

When will Fauci, Gates, Soros, Wyss et al be arrested for crimes against humanity? Any idea?

11 ^ | v 1 • Reply • Share ›



Aphon → Jjule • a month ago

they wont. they're puppets obeying their puppet masters who control the world.

3 ^ | v • Reply • Share ›



Chelsea Yorkshire → Jjule • 22 days ago

"When?" How 'about NEVER. All of them have a team of top-rated attorneys on their side. Along with, total power control over thousands of Western politicians.

^ | v • Reply • Share ›



zorba1 → Jjule • a month ago

Never most likely.

^ | v • Reply • Share ›



Chelsea Yorkshire → jack duras • 22 days ago

That was lodged months ago. Haven't heard any updates. And we'll bet no one here has found updates on this issue.

^ | v • Reply • Share ›



Cookie0 → jcraw • 5 months ago

Studies have shown unvaccinated children are much healthier. Isn't it interesting according to Bill Gates own physician he has always declined having his children vaccinated. And why is being against any vaccine a crime? Aren't we able to articulate an opinion without being labeled anti-vaxer? Call me names its worth having healthy children.

25 ^ | v • Reply • Share ›



Siglund → Cookie0 • 4 months ago

To my knowledge, being opposed to something that is NOT A VACCINE does not make you an anti-vaxxer.

14 ^ | v • Reply • Share ›



Brenda Oakley Lumpp → Siglund • 4 months ago

I fully believe in vaccinations for certain diseases like measles, mumps, chicken pox and polio. I had 3 of them as a child and was miserable. My brother in law was unlucky and got polio. BUT those are proven to work and safe. I do not get a flu shot as it doesn't help....it actually GIVES my husband the flu. This new "vaccine" is unproven and frankly has too many side effects to it. I'll wait.

9 ^ | v 2 • Reply • Share ›



cpwise2003 → Brenda Oakley Lumpp • 4 months ago

Dont even wait. It is not necessary when there are other meds with far superior safety record against these current covid jabs. Kets start with the well known Hydroxychloroquine which its use has been marginalized by gov and big pharma The Defender has covered this.

7 ^ | v • Reply • Share ›



tenbroeckneighbor → cpwise2003 • 3 months ago

HCQ isn't as effective as ivermectin and it's looking like fluvoxamine is going to be a big help too. I wouldn't take HCQ just because I'm not confident it would help as much as other drugs. Look at the FCCC website for more info,

^ | v • Reply • Share ›



jacques merde → Brenda Oakley Lumpp • 4 months ago

atta girl! There has been no "informed consent" unless you count free ice cream or burgers... and the last time I checked a person's health care is a private matter between a doctor and a patient. nowhere does it state the government can make demands or take away your freedoms (by COVID passports, etc)



7 ^ | v • Reply • Share ›



zorba1 → jacques merde • a month ago

Your health care is no longer a private matter. Microsoft and other big tech platforms, have everyone's health care records in their files. Through government contracts. For more then thirty years now, if you told your doctor that you felt like killing someone, that information would go to the federal, state and local police.

1 ^ | v • Reply • Share ›



Chelsea Yorkshire → zorba1 • 22 days ago

There was a very short interview, recently, when Robert Kennedy, Jr. was pointing out how Google is closely tied into the whole vaccine mantra. Their spy equipment on millions of citizens is given to Big Pharma. This then regenerates some of the vaccine quests.

^ | v • Reply • Share ›



Steve Yakoban → Brenda Oakley Lumpp • 4 months ago

The polio vaccine is not safe. It's getting harder to search for proof due to censorship, but here is one example article: <https://apnews.com/article/...>

6 ^ | v • Reply • Share ›



zorba1 → Steve Yakoban • a month ago

Tens of thousands of kids and other people died from the polio shots, Most were first given in my generation. They were deadly, because big pharma added other ingredients to the vaccines. There were a lot of accusations, and trials back then, but finally they were cleaned up. But I would never trust the USA's healthcare system again.

^ | v • Reply • Share ›



Alpha X → Steve Yakoban • 2 months ago

I agree and read this article Steve. <https://bit.ly/2VuBopY>

^ | v • Reply • Share ›



zorba1 → Brenda Oakley Lumpp • a month ago

Covid 19 is actually in the vaccine.

^ | v • Reply • Share ›



John Stone Mod → zorba1 • a month ago

I believe this may be true of certain Chinese and Indian brands but those used in North America and Western Europe use only the spike protein segment.

^ | v 1 • Reply • Share ›



Chelsea Yorkshire → John Stone • 22 days ago

Where is your evidence to support your claim about China and India? As a matter of fact, India is now using Ivermectim and it's being very helpful.

^ | v • Reply • Share ›



zorba1 → John Stone • a month ago

Maybe.

^ | v • Reply • Share ›



Chelsea Yorkshire → Brenda Oakley Lumpp • 22 days ago

Funny, isn't it, how Robert Kennedy, many others, can remember having Mumps Parties in the neighborhood. Chicken pox was on the same order. And, NO, the mumps shot have NOT shown they are effective. You don't

And, NO, the mumps shot have NOT shown they are effective. You don't remember a couple years ago, when hundreds of kids came down with mumps.....after they had been vaccinated? That garnered national news.

Mr. Kennedy has an entire list of just how effective, mumps and chicken pox are NOT SAFE.

^ | v 1 • Reply • Share ›



Brenda Oakley Lumpp → Chelsea Yorkshire • 22 days ago

Have you been this ignorant your whole life? Must be a liberal.

^ | v • Reply • Share ›



Nathan Fuller → Siglund • 2 months ago

Yeah, them and their spike protein gene therapy. Way to hijack and kill immune systems.

^ | v • Reply • Share ›



zorba1 → Cookie0 • a month ago

Sticks and stones may break my bones; but names never hurt me. I repeated this thousands of times when I was young. Stop feeling hurt by mere names and move on with your short lives.

1 ^ | v • Reply • Share ›



John Stone Mod → zorba1 • a month ago

The problem about the “anti-vaxxer” label is not because is intrinsically hurtful but because it is used as an ad hominem to marginalise all reasonable informed comment. The story btw about Gates’s physician is surely a fabrication: I have never seen anything to substantiate it.

1 ^ | v • Reply • Share ›



Chelsea Yorkshire → John Stone • 22 days ago

Odd. We have never felt "intrinsically hurt" or sensed "ad hominems" when we tell people we are proudly UNVAXXED. This is not the time to be cowardly or silent.

^ | v • Reply • Share ›

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